

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
February 15, 2012**

A meeting of the Town Council was held on Wednesday, February 15, 2012 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Matt Kelly, Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Thomas Mercer was absent. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cere; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Police Chief Stephan Semerjian, Library Director Felicia Oti.

CALL TO ORDER: Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance.

APPROVAL OF MINUTES: NONE

ANNOUNCEMENTS: Chairman Vallee announced that the Town Council meeting is being recorded by Comcast, Verizon and Franklin Matters.

PROCLAMATIONS/RECOGNITIONS: Police Chief Stephan Semerjian described the criteria for the Lifesaving Award. Lieutenant Thomas Lynch awarded Officer James M. Mucciarone The Lifesaving Award and a Letter of Commendation for Officer Mucciarone's quick intervention in administering the Heimlich Maneuver to a Polling Place worker on Election Day, November 8, 2012 at Franklin High School. Several members of The Franklin Police Department were present for the Award as was the choking victim, Geneva Doherty who personally thanked Officer Mucciarone.

CITIZEN COMMENTS: Richard Strats of 10 Hayden Lane spoke in favor of the Town Council appropriating funds to the library.

APPOINTMENTS: *Public Land Use Committee; Member* – MOTION by Councilor Pfeffer to ratify the appointment of Roger Denny of 18 Anchorage Road as a member of the Public Land Use Committee **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-8, No-0, Absent-1.**

***Franklin Community Garden Committee; Member* – MOTION** by Councilor Pfeffer to ratify the appointment of Kiernan Joliat of 24 MacKintosh Street as a member of the Franklin Community Garden Committee **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-8, No-0, Absent-1.**

***Citizen Committee; Members* – MOTION** by Councilor Pfeffer to ratify the appointments of Robert Avakkian of 61 Southgate Road, Lawrence Benedetto of 213 Chestnut Street, Paul Cheli of 6 Pearly Lane, Monique Doyle of 3 Greensfield Road, Donald Nielsen of 750 King Street, Donna Resten of 8 Cranberry Drive, Matt Kelly of 75 Crescent and Richard Cornetta of 50 Corbin as members of the Citizen Committee **SECONDED** by Councilor Dellorco. **VOTE to Approve: Yes-8, No-0, Absent-1.**

PRESENTATIONS/DISCUSSIONS: *Library Board of Directors:* Cynthia Dobrzynski, Chairman of the Franklin Library Board of Directors provided an update on the Massachusetts Board of Library Commissioners (MBLC) denial of a waiver request for fiscal year 2012. Ms. Dobrzynski explained the MBLC set the annual minimum amount that Franklin can spend on the library for fiscal year 2012 at \$916,733.00. Franklin Library's budget is \$485,172.00 for fiscal year 2012. A waiver request was made because the Library Budget does not meet the annual minimum amount as set by the MBLC. The waiver request was denied and the Franklin Library has appealed that denial. Ms. Dobrzynski was surprised the waiver request was denied as for the past two years, the Franklin Library was granted a waiver and the Library currently provides the same services, has increased the hours of operation and the Materials Budget has increased by 20%. Ms. Dobrzynski noted the Library was able to reduce its budget by streamlining the process without affecting service. The library has also made several capital improvements including purchasing additional new shelving units for books, upgrades to the lighting fixtures, replacement of carpeting and the purchase of 14 new computers for use by patrons. Town Administrator Nutting said the Library Director and the Library Board of Directors have done a great job to make changes and for providing more services than in the past. Councilor Roy applauded the Franklin Library Director and the Library Board of Directors for running a great program and was disappointed the waiver request was denied without the MBLC visiting the library first. Councilor Jones was supportive of the Library and commended the Library Director and the Library Board of Directors on the quality of service. Frank Nosek; President of the Friends of the Franklin Library said the library is changing/evolving and requested that additional funds be appropriated to the Library. Library Board of Director's Member, Sue Rittenhouse confirmed with the Library Director; Felicia Oti that the MBLC will be visiting the library. Mr. Nutting said the appeal would not be determined until the next MBLC meeting in April 2012.

Remote Participation Guidelines: Mr. Nutting provided an update on Remote Participation. Mr. Nutting and Councilor Roy are to meet in the next 2-3 weeks to make a final recommendation regarding Remote Participation.

SUBCOMMITTEE REPORTS: *Economic Development Committee* – Councilor Jones reported several businesses in the Town are expanding, including Happy Tails Doggy Daycare which recently relocated from Hayward Street to a larger facility at 7 Forge Park. Councilor Vallee and Mr. Nutting briefly discussed rezoning Route 140, from Bellingham to Wrentham as Commercial. Mr. Nutting agreed to look into a zoning change. Councilor Jones discussed the agenda for the next Economic Development Strategic Planning Meeting scheduled for February 29, 2012 at 6:00PM. Councilor Jones also announced the next Economic Development Committee Meeting is scheduled for March 6, 2012 at 8:00AM.

LEGISLATION FOR ACTION:

Resolution 12-10: Library – Expenses: Councilor Pfeffer read the resolution to transfer/appropriate \$15,000 for Library Expenses. **MOTION** by Councilor Pfeffer to Approve Resolution 12-10 **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr.

Nutting stated the Town had saved some money by refinancing bonds. The savings from the refinanced bonds are being used to purchase more books. Resolution 12-12 if passed, would allow the Library to purchase more shelves for the new books. **VOTE to Approve: Yes-8, No-0, Absent-1.**

Resolution 12-11: Capital Fiscal Year 2012 - \$535,000.00: MOTION by Councilor Jones to TABLE Resolution 12-11 until April 2012 **SECONDED** by Councilor Kelly. **Vote to Approve: Yes-8, No-0, Absent-1.**

Resolution 12-12: Appropriation Fiscal Year 2012 - Capital Improvement Plan: Councilor Pfeffer read the resolution to transfer/appropriate \$65,000.00 for Library Infrastructure and \$30,000.00 for Library Technology and Equipment for a total of \$95,000.00 to be transferred/appropriated from Free Cash to be expended at the discretion of the Town Administrator for the FY 2012 Capital Improvement Plan. **MOTION** by Councilor Pfeffer to Approve Resolution 12-12 **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting explained how the funds would be utilized. The appropriated funds would be used to renovate the area above the Children's Room. The Area would receive new carpeting, improved lighting and new shelving. The Library would also receive 14 new computers for patrons' use. Councilor Kelly confirmed with Mr. Nutting that the Council approved these improvements in January 2012. **Vote to Approve: Yes-8, No-0, Absent-1.**

Resolution 12-13: A Resolution Authorizing the Town Administrator to Execute Agreement By and Between the Town of Franklin and Franklin Community Cable Access, INC. – Councilor Pfeffer read the resolution to grant the Town Administrator the authority to execute Agreement by and Between the Town of Franklin and Franklin Community Cable Access, Inc. and fully implement its terms including without limitation all specified transfers of funds. **MOTION** by Councilor Pfeffer **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting provided a history of Franklin Community Cable Access, INC. The corporation was formed by a group of citizens who named themselves Public Education Government (PEG). The Corporation would receive initial funds from the Town to prepare a business plan. Upon completion of a plan approved by the Town Administrator, the Corporation would receive Town funding. The benefits of having the Corporation run Cable Access, is the Town would no longer be liable for program content, and would not be responsible for Cable Access employee wages, health insurance, benefits, worker's compensation or providing space for Cable Access. Franklin Community Cable Access, INC would also offer expanded programming of government and public access. Citizen, Frank Falvey expressed his concern about funding oversight as well as how future Corporation directors are chosen. Town Attorney Mark Cerel assured Mr. Falvey and Council members that oversight provisions are in place, and the Town can terminate the agreement if not satisfied with service. The Town can also withdraw funding if not satisfied with service. **Vote to Approve: Yes-8, No-0, Absent-1.**

Bylaw Amendment 12-679: Amendment to Chapter 82 of the Code of the Town of Franklin, Appendix A, List of Service Fees – Councilor Pfeffer read the bylaw amendment to make adjustments to the current List of Service Fee Rates by deleting text

where indicated and adding text where indicated. **MOTION** by Councilor Jones to move Bylaw Amendment 12-679 to a second reading **SECONDED** by Councilor Powderly.

DISCUSSION: Mr. Nutting explained the changes to the List of Service Fees revolve around Solar Panel Fees. The updated List of Service Fees will include a sliding scale of fees for Solar Panels based on the number of panels used. Mr. Nutting believes the new Service Fee Schedule is fair and equitable. Councilor Powderly asked what surrounding towns charge for Solar Panel Fees. Mr. Nutting said area towns are also reviewing their Solar Panel Fees, and Franklin is one of the first towns to adjust their fee schedule. **Vote to Approve: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting read a letter from a Town resident who is grateful for the assistance he received by ambulance personnel and the Fire Department during a very stressful time. Mr. Nutting took time to thank all municipal employees for their service. ► Mr. Nutting received a note from the Council on Aging, thanking the Department of Public Works, Dave Roche and John Rondeau for their assistance placing a shed built by Tri-County Regional High School at The Senior Center. Tri-County Regional High School built several sheds, one was placed at The Senior Center and other sheds were placed at the schools. The sheds replaced big containers, saving the Town money. Mr. Nutting said the partnership between Tri-County Regional High School was an example of great teamwork in Franklin. ► On behalf of Councilor Thomas Mercer; Chairman of the School Building Committee, Mr. Nutting announced Committee Members are available to make presentations regarding the New Franklin High School Project. Mr. Nutting noted there are two upcoming presentations scheduled. One presentation is scheduled for March 8, 2012 at 7:00PM at Franklin High School with tours of the school beginning at 6:00PM. Mr. Nutting urged people who have not seen the school, to take the tour. On March 9, 2012 another presentation will be conducted at The Franklin Senior Center. In addition to the presentations, information regarding the New Franklin High School Project is also available on the Town's Website. ► Mr. Nutting requested an Executive Session for Collective Bargaining.

OLD BUSINESS: NONE NEW BUSINESS: NONE

COUNCILOR COMMENTS: ► Councilor Roy encouraged citizens to reach out to the New School Committee and organize residential presentations, in order to obtain correct information on the New Franklin High School Project. ► Councilors Bissanti, Jones and Kelly thanked the Council on Aging for hosting the evening's Meet and Greet, as well as the tour of the Senior Center. ► Councilor Jones urged everyone to vote on March 27, 2012. ► Councilor Pfeffer would like to have Town Employment Postings advertised locally so Franklin residents would have a better opportunity to be aware of available positions. Councilor Pfeffer also announced Town Clerk Deborah Pellegrini would like to remind Town Residents to register to vote if not already registered. ► Councilor Powderly announced the Franklin Food Pantry Annual Food Drive is underway and is looking for volunteers to work on February 26, 2012 from 10-6PM. If interested, send an email to Maureen@franklinfoodpantry.org or visit the website. ► Councilor Vallee would like to institute a new process for honoring citizen volunteers.

EXECUTIVE SESSION: Chairman Vallee said the Town Council would go into Executive Session to discuss strategy with respect to collective bargaining and declared an open meeting would have a detrimental effect on the position of the body. Open Session did not reconvene at the conclusion of the Executive Session. **MOTION** by Councilor Pfeffer to go into Executive Session to discuss strategy with respect to collective bargaining and not to resume Open Session **SECONDED** by Councilor Jones. **ROLL CALL:** Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. **Vote to Approve: Yes-8, No-0, Abs cent-1.** Open Session adjourned at 8:17PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary